

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT R. GRUDZINSKI,	:	
	:	No.4:CV-04-1495
Plaintiff,	:	
	:	
v.	:	(Judge McClure)
	:	
	:	(Magistrate Judge Mannion)
SOCIAL SECURITY	:	
COMMISSIONER,	:	
Defendant.	:	

**ORDER**

September 21, 2005

**BACKGROUND:**

This is a civil action brought by the plaintiff, Robert R. Grudzinski, appealing the final decision of the Commissioner of Social Security denying his claim for Social Security Disability Insurance Benefits (“DIB”) under Title II of the Social Security Act, 42 U.S.C. §§ 401-433.

On January 26, 2004, Administrative Law Judge Richard Zack ruled that the plaintiff was not entitled to DIB. On appeal, plaintiff, who proceeded *pro se*, primarily argued that the ALJ’s decision was not supported by substantial evidence.

This case was initially referred to United States Magistrate Judge Malachy E. Mannion. On August 26, 2005, Magistrate Judge Mannion filed his 22-page

report and recommendation. At the conclusion of a detailed analysis of the record, the magistrate judge recommended that the plaintiff's appeal be denied.

No objections have been filed to the report and recommendation.

The court will adopt the report and recommendation in full for the reasons set forth by Magistrate Judge Mannion.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. The report and recommendation of United States Magistrate Judge Malachy E. Mannion (Rec. Doc. No. 32, filed August 26, 2005) is approved and adopted in full for the reasons set forth therein.
2. Plaintiff's appeal from the decision of the Commissioner of Social Security is denied and the action of the Commissioner is affirmed.
3. The clerk is directed to close the case file.

s/ James F. McClure, Jr.  
James F. McClure, Jr.  
United States District Judge